

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 18, 2019

[Cite as *09/18/2019 Case Announcements*, 2019-Ohio-3749.]

MERIT DECISIONS WITH OPINIONS

2018-1073. *Walsh v. Walsh*, Slip Opinion No. 2019-Ohio-3723.

Trumbull App. No. 2017-T-0033, 2018-Ohio-2466. Judgment reversed and cause remanded.

O'Connor, C.J., and Kennedy, DeWine, and Donnelly, JJ., concur.

French, Fischer, and Stewart, JJ., concur in judgment only.

AFFIDAVITS OF DISQUALIFICATION

The chief justice has released the following judicial-disqualification opinions, which were previously issued as entries in response to affidavits of disqualification filed pursuant to R.C. 2701.03.

19-AP-066. In re Disqualification of Gill, 2019-Ohio-3743 (decided June 6, 2019).

19-AP-068. In re Disqualification of Collier, 2019-Ohio-3744 (decided June 20, 2019).

MOTION AND PROCEDURAL RULINGS

2019-0016. *Ohio Veterans & Fraternal Charitable Coalition v. Yost*.

Franklin App. No. 18AP-199, 2018-Ohio-4679. On joint request to hold cause in abeyance. Request granted. Cause held in abeyance until June 30, 2020.

2019-0420. In re Adoption of Y.E.F.

Delaware App. No. 18 CAF 09 0070, 2019-Ohio-449. Sua sponte, the Attorney General of Ohio is requested to file an amicus brief addressing the issue whether the probate court's denial of the request for appointment of counsel constituted a final, appealable order and to also address the merits of the propositions of law in appellant's brief. Should the attorney general file a brief, the brief shall be filed within 60 days. Any party may respond to the attorney general's brief within 30 days after it has been filed, and the attorney general may file a reply to any responsive brief within 10 days of the filing of the responsive brief.

2019-0421. In re Adoption of M.M.F.

Delaware App. No. 18 CAF 09 0069, 2019-Ohio-448. Sua sponte, the Attorney General of Ohio is requested to file an amicus brief addressing the issue whether the probate court's denial of the request for appointment of counsel constituted a final, appealable order and to also address the merits of the propositions of law in appellant's brief. Should the attorney general file a brief, the brief shall be filed within 60 days. Any party may respond to the attorney general's brief within 30 days after it has been filed, and the attorney general may file a reply to any responsive brief within 10 days of the filing of the responsive brief.

2019-0998. Ohio Bar Assn. v. Timberwolf Litigation & Research Servs., L.L.C.

On John Houk's motion to quash subpoena duces tecum. Motion denied.

DISCIPLINARY CASES

2018-1706. Cleveland Metro. Bar Assn. v. Aten.

On certification of default. Michael Branch Aten Jr., Attorney Registration No. 0083386, last known address in Cleveland Heights, Ohio, indefinitely suspended from the practice of law.

2019-0965. In re Application of Dornette.

On final report of the Board of Commissioners on Character and Fitness pursuant to Gov.Bar R. I(12)(E), recommending that David Paul Dornette's application to take the Ohio bar examination be approved. No objections to the final report were filed. Application of David Paul Dornette for admission to the practice of law in Ohio approved.

Kennedy and Fischer, JJ., not participating.

2019-1155. In re Resignation of Newberry.

On application for retirement or resignation of Jeffrey Stuart Newberry, Attorney Registration No. 0015029, last known business address in Cincinnati, Ohio. Resignation accepted with disciplinary action pending.

MEDIATION MATTERS

The court refers the following case to mediation under S.Ct.Prac.R. 19.01 and stays all filing deadlines until further order of this court. The court will not issue any decision on the merits of the case until mediation has concluded.

2019-1233. State ex rel. Stallion Oilfield Constr., L.L.C. v. Indus. Comm.

Franklin App. No. 18 AP-350.

The following case has been returned to the regular docket under S.Ct.Prac.R. 19.01. The appellant shall file a brief within 40 days, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, this court may dismiss this case or take other action if the parties fail to timely file merit briefs.

2019-0322. Wooster Floral & Gifts, L.L.C. v. Green Thumb Floral & Garden Ctr., Inc.

Wayne App. No. 17AP0026, 2019-Ohio-63.